

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

HALLAMORE CORPORATION	:	
	:	
v.	:	C.A. No. 08-075S
	:	
CAPCO STEEL CORPORATION,	:	
et al.	:	

MEMORANDUM AND ORDER

Pending before the Court is Plaintiff's Motion to Compel Production of Documents and Supplemental Answers to Interrogatories. (Document No. 51). Defendants object. (Document No. 56). A hearing was held on April 23, 2009. After reviewing the pleadings and listening to the arguments of counsel, Plaintiff's Motion is GRANTED in part as follows and otherwise DENIED.

1. Requests for Production Nos. 2, 3, 5 and 9 – Defendants shall produce all non-privileged documents in their possession, custody or control responsive to these requests for the period March 30, 2005 to present including those regarding Defendants' dealings with Amquip Crane Rental LLC and Amquip Corporation. Defendants shall also produce any non-privileged documents in their possession, custody or control regarding the December 2005 agreement between Capco and Amquip. Such documents shall be produced by May 6, 2009. Further, pursuant to their duty to supplement production in a timely fashion under Fed. R. Civ. P. 26(e)(1), Defendants shall produce responsive documents going forward on a monthly basis by the fifteenth of the following month. If Defendants withhold any documents as privileged, they shall produce a privilege log to Plaintiff in accordance with Fed. R. Civ. P. 26(b)(5)(A).

2. Interrogatory Nos. 2 and 4 – Plaintiff's Motion is DENIED as moot as Defendants have elected to produce business records pursuant to Fed. R. Civ. P. 33(d).

3. Interrogatory No. 5 – Plaintiff’s Motion is DENIED as moot in view of Defendants’ supplemental disclosure of information.

4. Interrogatory No. 20 – Plaintiff’s Motion is DENIED and Defendants’ objection is sustained as this interrogatory is overly broad. However, by agreement, Defendants shall, by May 15, 2009, produce a copy of the transcript of the deposition of Michael Caparco taken in the matter of Capco Equipment, LLC v. Manitowoc Cranes, Inc., C.A. No. 04-183S (D.R.I.).

SO ORDERED.

/s/ Lincoln D. Almond
LINCOLN D. ALMOND
United States Magistrate Judge
April 23, 2009